

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
GOODEARTH MARITIME LTD.,	:	
	:	
Plaintiff,	:	08 CV 2028 (RMB)
	:	ECF CASE
- against -	:	
	:	
CALDER SEACARRIER CORP.,	:	
a.k.a. CALDER SEA CARRIER CORP.,	:	
ROLSTON ENTERPRISES LTD., and	:	
FENBY COMPANY LIMITED a.k.a. FENBY	:	
CO. LTD.,	:	
	:	
Defendants.	:	
-----X		

**SECOND AMENDED AFFIDAVIT IN
SUPPORT OF PRAYER FOR MARITIME ATTACHMENT**

State of Connecticut)
) ss: SOUTHPORT
County of Fairfield)

Thomas L. Tisdale, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and represent the Plaintiff herein. I am familiar with the facts of this case and make this Affidavit in support of Plaintiff's prayer for the issuance of a Writ of Maritime Attachment and Garnishment, pursuant to Rule B of the Supplemental Admiralty Rules of the Federal Rules of Civil Procedure.

2. I have attempted to locate the Defendants, CALDER SEACARRIER CORP. a/k/a CALDER SEA CARRIER CORP., ROLSTON ENTERPRISES LTD. and FENBY COMPANY LIMITED a.k.a. FENBY CO. LTD., within this District. As part of my investigation to locate the Defendants within this District, I checked the telephone company information directory, as well as the white and yellow pages for New York listed on the Internet or World Wide Web, and did not find any listing for the Defendants however, a listing for "Rolston Enterprises, Inc."

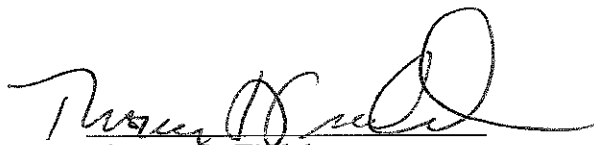
was discovered. This listing states that Rolston Enterprises, Inc. is a domestic company, which does not appear to be the Defendant herein. *See attached as Exhibit 1.* Finally, I checked the New York State Department of Corporations' online database, which showed no listing or registration for these Defendants.

3. I submit that the Defendants cannot be found within this District within the meaning of Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims.

4. Upon information and belief, the Defendants have, or will have during the pendency of this action, tangible and intangible property within the District in the hands of ABN Amro, American Express Bank, Bank of America, Bank of New York, Citibank, Deutsche Bank, HSBC (USA) Bank, J.P. Morgan Chase, Standard Chartered Bank and/or Wachovia Bank N.A.

WHEREFORE, the Plaintiff respectfully requests that the Court authorize the issuance of process in the form of a Writ of Maritime Attachment and Garnishment seeking attachment and garnishment of Defendants tangible and intangible property within this District in the hands of ABN Amro, American Express Bank, Bank of America, Bank of New York, Citibank, Deutsche Bank, HSBC (USA) Bank, J.P. Morgan Chase, Standard Chartered Bank and/or Wachovia Bank N.A.

Dated: July 30, 2008
Southport, CT


Thomas L. Tisdale

Sworn and subscribed to before me
this 30th day of July 2008.

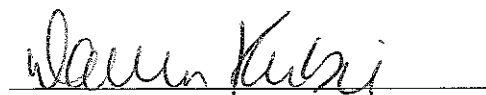

Notary Public

EXHIBIT 1

NYS Department of State

Division of Corporations

Entity Information

Selected Entity Name: ROLSTON ENTERPRISES, INC.

Selected Entity Status Information

Current Entity Name: ROLSTON ENTERPRISES, INC.

Initial DOS Filing Date: DECEMBER 15, 2004

County: SUFFOLK

Jurisdiction: NEW YORK

Entity Type: DOMESTIC BUSINESS CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

ROLSTON ENTERPRISES, INC.

5 NITA STREET

E NORTHPORT, NEW YORK, 11731

Chairman or Chief Executive Officer

THOMAS A. ROLSTON, JR.

185 E 85TH STREET

NEW YORK, NEW YORK, 10028

Principal Executive Office

THOMAS A. ROLSTON, JR.

5 NITA STREET

E NORTHPORT, NEW YORK, 11731

Registered Agent

NONE

NOTE: New York State does not issue organizational identification numbers.

[Search Results](#)

[New Search](#)

[Division of Corporations, State Records and UCC Home Page](#) [NYS Department of State Home Page](#)